

FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Antoine Thomas

COMPLAINT

(Enter above the full name of the plaintiff in this action)

V.

Civil Action No. 13-6419 (DNC)

(To be supplied by the Clerk of the Court)

① Northern State Prison
② SCO Perez - ③ LT Doughtlin
④ UMBON ⑤ SCO McAdams ⑥ SCO Parks ⑦ UMBON Nurse Veronica
⑧ N.S.P Administrator
Lagana

(Enter the full name of the defendant or defendants in this action)

INSTRUCTIONS; READ CAREFULLY

1. This complaint must be legibly handwritten or typewritten, signed by the plaintiff and subscribed to under penalty of perjury as being true and correct. All questions must be answered concisely in the proper space on the form. Where more space is needed to answer any question, attach a separate sheet.
2. In accordance with Rule 8 of the Federal Rules of Civil Procedure, the complaint should contain (1) a short and plain statement of the grounds upon which the court's jurisdiction depends, (2) a short plain statement of the claim showing that you are entitled to relief, and (3) a demand for judgment for the relief which you seek.
3. You must provide the full name of each defendant or defendants and where they can be found.
4. You must send the original and one copy of the complaint to the Clerk of the District Court. You must also send one additional copy of the complaint for each defendant to the Clerk. Do not send the complaint directly to the defendants.
5. Upon receipt of a fee of \$400.00 (a filing fee of \$350.00, and an administrative fee of \$50.00), your complaint will be filed. You will be responsible for service of a separate summons and copy of the complaint on each defendant. See Rule 4, Federal Rule of Civil Procedure.

6. If you cannot prepay the \$400.00 fee, you may request permission to proceed in forma pauperis in accordance with the procedures set forth in the application to proceed in forma pauperis. See 28 U.S.C. §1915. (If there is more than one plaintiff, each plaintiff must separately request permission to proceed in forma pauperis.)

7. If you are given permission to proceed in forma pauperis, the \$50.00 Administrative Fee will not be assessed. The Clerk will prepare and issue a copy of the summons for each defendant. The copies of summonses and the copies of the complaint which you have submitted will be forwarded by the Clerk to the United States Marshal, who is responsible for service. The Marshal has USM-285 forms you must complete so that the Marshal can locate and serve each defendant. If the forms are sent to you, you must complete them in full and return the forms to the Marshal.

QUESTIONS TO BE ANSWERED

1a. Jurisdiction is asserted pursuant to (CHECK ONE)

☒ 42 U.S.C. §1983 (applies to state prisoners)

☐ Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971) and 28 U.S.C. § 1331 (applies to federal prisoners)

If you want to assert jurisdiction under different or additional statutes, list these below:

1b. Indicate whether you are a prisoner or other confined person as follows:

☐ Pretrial detainee

☐ Civilly-committed detainee

☐ Immigration detainee

☒ Convicted and sentenced state prisoner

☐ Convicted and sentenced federal prisoner

☐ Other: (please explain) _____

2. Previously Dismissed Federal Civil Actions or Appeals

If you are proceeding in forma pauperis, list each civil action or appeal you have brought in a federal court while you were incarcerated or detained in any facility, that was dismissed as frivolous or malicious, or for failure to state a claim upon which relief may be granted. Please note that a prisoner who has on three or more prior occasions, while detained in any facility, brought an action or appeal in a federal court that was dismissed as frivolous or malicious, or for failure to state a claim upon which relief may be granted, will be denied in forma pauperis status unless that prisoner is under imminent danger of serious physical injury. See 28 U.S.C. § 1915(g).

a. Parties to previous lawsuit:

Plaintiff(s):

Defendant(s):

b. Court and docket number:

c. Grounds for dismissal: () frivolous () malicious

() failure to state a claim upon which relief may be granted

d. Approximate date of filing lawsuit:

e. Approximate date of disposition:

If there is more than one civil action or appeal, describe the additional civil actions or appeals using this same format on separate sheets.

3. Place of Present Confinement?

Southwoods State Prison

4. Parties

(In item (a) below, place your name in the first blank and place your present address in the second blank. Do the same for additional Plaintiffs, if any.)

a. Name of plaintiff:

Andone Thomas

SWSP
215 S. Burlington Rd
Address: Bridgeton NJ 08302
Inmate #: 548191 - 987366B

- b. First defendant: corrections
Name: Senior Officer Perez (N.S.P)
Official position: SCO 2nd shift Infirmmary
Place of employment: Northern State Prison

How is this person involved in the case?

(i.e., what are you alleging that this person did or did not do that violated your constitutional rights?)

He wouldn't help me while I was bleeding and leaking stool after complications to hemoid surgery while in N.S.P Infirmmary yard. Asked for help he laughed and made jokes

- c. Second defendant:
Name: Senior Corrections Officer Parks (NSP)
Official position: SCO 2nd shift Relief
Place of employment: Northern State Prison

How is this person involved in the case?

(i.e., what are you alleging that this person did or did not do that violated your constitutional rights?)

He wouldn't help me while I was bleeding and leaking stool after complications to hemoid surgery while housed in N.S.P Infirmmary. Asked for help and he laughed and made jokes.

- d. If there are more than two defendants, attach a separate sheet. For each defendant specify: (1) name, (2) official position, (3) place of employment, and (4) involvement of the defendant.

- 3rd Defendant: Officer McAdams -
Official Position: Senior Corrections Officer
Place of employment: Northern State Prison
How is this person involved in this case?: This officer wouldn't help me while I was bleeding and taking stool.
- 4th Defendant: LT. Coughlin
Official Position: Lieutenant Northern State Prison.
Place of employment: N.S.P
How is this person involved in this case?: Asked him for help while I was bleeding, he said he was busy.
- 5th Defendant: UMSO3 Nurse Veronica
Official Position: Nurse
Place of employment: N.S.P
How is this person involved in this case: Could have overruled officers decision but chose not to.

6th. Defendant: N.S.P Administrator Lagana.
 Official Position: N.S.P Administrator
 Place of Employment: N.S.P Northern State Prison.
 How is this person involved in this case?: Not properly training his officers in medical emergency situations.

7th. Defendant: Northern State Prison
 Official Position: Prison I'm housed in.
 Place of Employment: Newark NJ - PO Box 2300
 168 Frontage Rd, NJK NJ 07114. - Did not train staff properly - - -

8th. Defendant: UMDNJ
 Official Position: Hospital
 Place of Employment - Newark NJ
 How is this place of employment involved in this case: - Did not train medical staff properly.

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5. I previously have sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in the Statement of Claims on page 6.

☒ Yes ☐ No

If your answer is "Yes," briefly describe the steps taken, including how relief was sought, from whom you sought relief, and the results.

I have written numerous request / remedy forms concerning this matter / sent Tort claim to Trenton & spoke to prison ombudsman.

If your answer is "No," briefly explain why administrative remedies were not exhausted.

N/A

6. Statement of Claims

(State here as briefly as possible the facts of your case. Describe how each defendant violated your rights, giving dates and places. If you do not specify how each defendant violated your rights and the date(s) and place of the violations, your complaint may be dismissed. Include also the names of other persons who are involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach a separate sheet if necessary.)

On 1-17-13 I was in N.SP in Fireman's yard at or around 2:15pm. I then started to bleed heavily and took stool from my anus due to complications from Hemroid surgery a couple weeks before. I then asked for help from the following. (1) 2nd Shift infirmary officers Perez, (2) 2nd

Shift Infirmmary SCD McAdams, (3) 2nd Shift Infirmmary Relief Officer SCD Parks (4) N.C.P. And U.M.A.T.J Nurse Veronica (5) LT Coughlin which is the 2nd Shift Supervisor and did not receive any help until 3:30 which was over an hour later.

Officer SCD Perez And SCD Parks made anal Jokes while this was going on saying it was "Pussy Blood." Witnesses to this incident is "Every inmate" that was housed in Infirmmary on 1-17-13

7. Relief

(State briefly exactly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.)

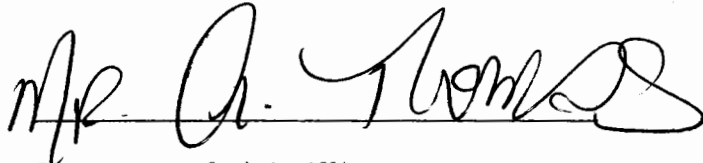
I want to receive \$100,000 because my wound got infected which in time led to the having to have surgery done.

8. Do you request a jury or non-jury trial? (Check only one)

☒ Jury Trial ☐ Non-Jury Trial

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 21 day of Oct, 2013



Signature of plaintiff*

(*EACH PLAINTIFF NAMED IN THE COMPLAINT MUST SIGN THE COMPLAINT HERE. ADD ADDITIONAL LINES IF THERE IS MORE THAN ONE PLAINTIFF. REMEMBER, EACH PLAINTIFF MUST SIGN THE COMPLAINT).